



Image

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: CHAIN=4A

In re Application of:)	Conf. No.: 1260
)	
Daniel CHAIN)	Art Unit: 1614
)	
Appln. No.: 09/868,501)	Examiner: P. Spivack
)	
Filed: September 26, 2001)	Washington, D.C.
)	
For: INCREASING BRAIN GLUCOSE)	March 10, 2004
UTILIZATION)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

(Check one of the boxes A-D)

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☒ B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(Check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

(use one and delete other of following)

☐ ii. A check (check no. _____) for the fee set forth in §1.17(p), presently believed to be \$180, is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

☐ ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge

any additional fees or credit any overpayment to
Deposit Account No. 02-4035.

[] D. after (A), (B) and (C) above, but before
payment of the issue fee: Applicant(s) state as follows under
37 CFR §1.97(e) for consideration of this IDS, that, upon
information and belief, each item of information listed herein
was either

(Check one of the boxes "a" and "b" below)

[] (a) first cited in a communication from a foreign
patent office in a counterpart foreign
application not more than three months prior to
the filing of this IDS; or

[] (b) was not cited in a communication from a
foreign patent office in a counterpart foreign
application and, to the knowledge of the
undersigned after making reasonable inquiry, was
not known to any individual designated in
§1.56(c) more than three months prior to the
filing of this IDS.

(use one and delete other of following and this note)

A check (check no. _____) for/ Credit Card Payment Form, PTO-
2038, is attached authorizing payment of the fee set forth in
§1.17(p), presently believed to be \$180 is enclosed. If the
enclosed payment is incorrect, please charge any additional
fees or credit any overpayment to Deposit Account No. 02-4035.

[X] 2. In accordance with 37 CFR §1.98, this IDS
includes a list (e.g., form PTO-1449) of all patents,
publications, or other information submitted for consideration
by the office, either incorporated into this IDS or as an
attachment hereto. A copy of each document listed is attached,
except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document _____ is not in the English language. In accordance with §1.98(a)(3), Applicant(s) states:

☐ An English translation of each document _____ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:

(insert concise explanation of relevance)

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

[] A concise explanation of document(s) _____
can be found on the attached sheet.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[X] 5. Other information being provided for the examiner's consideration follows:

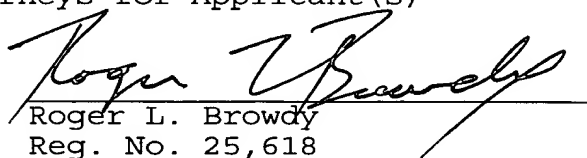
A copy of the International Search Report, mailed August 23, 2000 is enclosed.

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

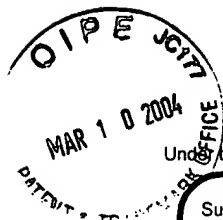
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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	09/868,501
Filing Date	September 26, 2001
First Named Inventor	Daniel G. CHAIN
Group Art Unit	
Examiner Name	
Attorney Docket Number	CHAIN=4A

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	DA	US-6,028,088	02-22-2000	Pershadsingh et al	
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	DB	WO 99/16758 A1	04-08-1999	Reddy Research Found.		
	DC	WO 99/20614 A1	04-29-1999	Ready Res Found & Reddy- Cheminor, Inc.		
	DD	WO 99/38850 A1	08-0519-99	Reddy Research Found.		
	DE	WO 00/23407 A2	04-27-2000	Glaxo Group Ltd & U So Car		
	DF	WO 00/23415 A1	04-27-2000	Novo Nordisk & Reddy Res		
	DG	WO 00/23416 A1	04-27-2000	Novo Nordisk & Reddy Res		
	DH	WO 00/23417 A1	04-27-2000	Novo Nordisk & Reddy Res		
	DI	WO 00/23445 A1	04-27-2000	Novo Nordisk & Reddy Res		
	DJ	WO 00/23451 A1	04-27-2000	Novo Nordisk & Reddy Res		
	DK	WO 00/32190 A1	06-08-2000	Case Western Reserve Un		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	DL	COMBS et al, "Inflammatory Mechanisms in Alzheimer's Disease: Inhibition of β -Amyloid-Stimulated Proinflammatory Responses and Neurotoxicity by PPAR γ Agonists", <u>J Neurosci</u> 20(2):558-567 (2000)	

Examiner
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.